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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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18 ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
19 corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,
20

Plaintiffs,

v.

21
22 RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,
23

Defendants.

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Case No 2:10-cv-00106-LRH-PAL

**PLAINTIFFS' MOTION TO SEAL
EXHIBIT H TO THE DECLARATION
OF BREE HANN**

Date: January 10, 2012
Time: 10:30 a.m.
Place: Courtroom 3B
Judge: Magistrate Peggy A. Leen

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1 Pursuant to the Stipulated Protective Order governing confidentiality of documents
 2 entered by the Court on May 21, 2010, Dkt. 55 (“Protective Order”), and Rules 5.2 and 26(c) of
 3 the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and
 4 Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the
 5 Court order the Clerk of the Court to file under seal Exhibit H to the Declaration of Bree Hann in
 6 Support of the Parties’ Joint Case Management Conference Statement (“Hann Exhibit H”). An
 7 unredacted version of Exhibit H was individually lodged under seal with the Court on January 6,
 8 2012. *See* Dkt. 218.

9 Sealing Hann Exhibit H is requested because the document contains information that
 10 Oracle has designated as “Highly Confidential Information – Attorneys’ Eyes Only” under the
 11 terms of the Protective Order. The Protective Order states, “Counsel for any Designating Party
 12 may designate any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential
 13 Information – Attorneys’ Eyes Only’ under the terms of this Protective Order **only if such**
 14 **counsel in good faith believes that such Discovery Material contains such information and**
 15 **is subject to protection under Federal Rule of Civil Procedure 26(c).** The designation by any
 16 Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly
 17 Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an
 18 attorney for the Designating Party reasonably believes there is a valid basis for such
 19 designation.” Protective Order ¶ 2 (emphasis supplied).

20 Oracle has identified Hann Exhibit H as containing portions that are Confidential and
 21 Highly Confidential, and Oracle represents that good cause exists for sealing those portions of
 22 the documents. Rimini has also requested that Oracle file Hann Exhibit H under seal on the
 23 grounds that it contains Confidential and Highly Confidential materials, and Rimini represents
 24 that good cause exists for sealing the document. This is a sufficient showing of good cause to
 25 permit a sealing order on a non-dispositive motion. *See, e.g., Pacific Gas and Elec. Co. v.*
 26 *Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

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1 Oracle has submitted all other exhibits to the Declaration of Bree Hann for filing in the
2 Court's public files, which would allow public access to all exhibits except for Hann Exhibit H.
3 Accordingly, the request to seal is narrowly tailored.

4 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
5 exists to file under seal Hann Exhibit H.

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7 DATED: January 6, 2012

BINGHAM McCUTCHEN LLP

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By: /s/ Geoffrey M. Howard

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Geoffrey M. Howard

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Attorneys for Plaintiffs

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Oracle USA, Inc., Oracle America, Inc.,

13

and Oracle International Corp.

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